

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

American Efficient LLC and Affirmed
Energy LLC,

Plaintiffs,

v.

Federal Energy Regulatory Commission;
Mark C. Christie, Willie L. Phillips, David
Rosner, Lindsay S. See, and Judy W. Chang,
*in their official capacities as Commissioners
of the Federal Energy Regulatory
Commission,*

Defendants.

Case No. 1:25-cv-00068-TDS-JEP

**JOINT MOTION FOR A BRIEFING
SCHEDULE ON PLAINTIFFS’
MOTION FOR A PRELIMINARY
INJUNCTION**

Plaintiffs American Efficient LLC and Affirmed Energy LLC (collectively, “American Efficient”) and Defendants Federal Energy Regulatory Commission, Mark C. Christie, Willie L. Phillips, David Rosner, Lindsay S. See, and Judy W. Chang, in their official capacities as Commissioners of the Federal Energy Regulatory Commission (collectively, “FERC”), hereby jointly move the Court pursuant to Federal Rule of Civil Procedure 7 and L.R. 7.3 for an order setting a briefing schedule on Plaintiffs’ Motion for a Preliminary Injunction (ECF No. 2).

American Efficient filed a Complaint and Motion for a Preliminary Injunction on January 29, 2025, with the case assigned to this Court on January 31, 2025. After that, counsel for American Efficient and FERC began discussions regarding a proposed briefing schedule for prompt resolution of the Motion for a Preliminary Injunction.

American Efficient and FERC have agreed on the following proposed briefing schedule:

(1) FERC's opposition to the Motion for a Preliminary Injunction shall be filed by March 3, 2025, and (2) Plaintiffs' reply in support of the Motion for a Preliminary Injunction shall be filed by March 10, 2025. The parties join in respectfully requesting expeditious resolution of the Motion for a Preliminary Injunction, consistent with the Court's schedule. Plaintiffs have additionally requested a hearing on their Motion for a Preliminary Injunction, which Plaintiffs respectfully request take place at the Court's earliest convenience. FERC takes no position on Plaintiffs' request for hearing, but FERC stands ready to assist the Court in whatever proceeding the Court determines useful to its consideration of the issues.

WHEREFORE, the parties jointly and respectfully request entry of an Order setting a briefing schedule as described above and as set forth in the proposed Order.

Respectfully submitted this 10th day of February, 2025.

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*Specially appearing pursuant to Local
Rule 83.1(d)

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